

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,**

**Debtor.**

**IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC,**

**Plaintiff,**

**V.**

**ALPHA PRIME FUND LIMITED *et al.*,**

## Defendants.

**Adv. Pro. No. 08-01789  
(SMB)**

## SIPA LIQUIDATION

**(Substantively Consolidated)**

**Adv. Pro. No. 09-01364  
(SMB)**

# ORDER ISSUING A LETTER OF REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS IN CIVIL OR COMMERCIAL MATTERS

Upon the Motion (the “Motion”), dated February 3, 2020, brought by Alpha Prime Fund Ltd. (“Alpha Prime”) seeking entry of an Order (the “Order”) issuing a Letter of Request (as defined in the Motion) to be transmitted, via the appropriate channels, to the applicable court in Austria to obtain the testimony of Karim Bibars; and it appearing that due and sufficient notice of the Motion has been given under the circumstances; and an objection having been filed by the Trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC (the “Trustee”); and Alpha Prime having made further revisions to the form of the Letter of Request in order to resolve the Objection; and it having been represented to

the Court that Alpha Prime and the Trustee have resolved the Objection; and the Trustee having withdrawn the Objection; and it further appearing that the relief sought in the Motion is appropriate based upon the information provided in the Motion and in the record; and it further appearing that this Court has jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334(b); and after due deliberation; and sufficient cause appearing therefor; it is hereby

**ORDERED** that the Motion is granted; and it is further

**ORDERED** that the Letter of Request, in the form submitted with the Motion, shall be signed and sealed by the Court for transmission to the appropriate judicial authority in Austria so that valid service of process may be effectuated upon Karim Bibars.

Dated: New York, New York  
**July 27<sup>th</sup>**, 2020

**/s/ STUART M. BERNSTEIN**  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE